



## DECLARATION - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name;

I believe I am one of the original, first and joint inventors (namely, James R. Braig, a United States citizen having a residence and mailing address at 280 Mountain Avenue, Piedmont, California 94611, Peter Rule, a United States citizen having a residence and mailing address at 24183 Hillview Road, Los Altos Hills, California 94024, Kenneth G. Witte, a United States citizen having a residence and mailing address at 1547 Petersen Avenue, San Jose, California 95129, Philip C. Hartstein, a United States citizen having a residence and mailing address at 171 Bryant St., Apt. G, Palo Alto, California 94301, and Bernhard B. Sterling, a United States citizen having a residence and mailing address at 882 El Pintado Road, Danville, California 94086) of the subject matter which is claimed and for which a patent is sought on the invention entitled DUAL MEASUREMENT ANALYTE DETECTION SYSTEM; the specification of which was filed on April 15, 2004 as Application Serial No. 10/826,006.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application(s) listed below.

Application No.: 60/463,130

Filing Date: April 15, 2003

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

-----  
Full name of first inventor: **James R. Braig**

Inventor's signature \_\_\_\_\_

A handwritten signature in black ink, appearing to read "James R. Braig". It is written in a cursive style with some variations in letter height and thickness.

Date 10-15-04

Residence: **280 Mountain Avenue, Piedmont, California 94611**

Citizenship: **US**

Mailing Address: **Same**

---

Send Correspondence To:  
**KNOBBE, MARTENS, OLSON & BEAR, LLP**  
**Customer No. 20,995**

## ALL-PURPOSE ACKNOWLEDGEMENT

State of California

County of Alameda

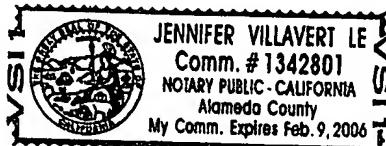
} SS.

On October 19, 2004 (DATE) before me, Jennifer Villavert Le (NOTARY),  
personally appeared James R. Craig SIGNER(S)

personally known to me

- OR -

proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Jennifer Villavert Le  
NOTARY'S SIGNATURE

### OPTIONAL INFORMATION

The information below is not required by law. However, it could prevent fraudulent attachment of this acknowledgement to an unauthorized document.

#### CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

- INDIVIDUAL  
 CORPORATE OFFICER

CTO

TITLE(S)

- PARTNER(S)  
 ATTORNEY-IN-FACT  
 TRUSTEE(S)  
 GUARDIAN/CONSERVATOR  
 OTHER: \_\_\_\_\_

SIGNER IS REPRESENTING:  
NAME OF PERSON(S) OR ENTITY(IES)

OPTISCAN BIOMEDICAL CORP.

#### DESCRIPTION OF ATTACHED DOCUMENT

Declaration  
Declaration - USA Patent application

TITLE OR TYPE OF DOCUMENT

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NUMBER OF PAGES

April 15, 2006

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OTHER

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SIGNER





Page 1

Attorney's Docket No. OPTIS.084A

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-----  
Full name of second inventor: **Peter Rule**

Inventor's signature 

Date Oct. 19, 2004

Residence: **24183 Hillview Road, Los Altos Hills, California 94024**

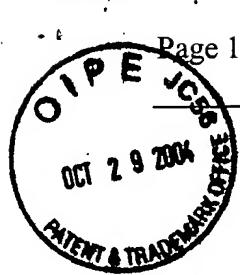
*Michele Faubach*  
Subscribing witness  
*10/19/04*

Citizenship: **US**

Mailing Address: **Same**

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-----  
Full name of third inventor: Kenneth G. Witte

Inventor's signature Kenneth G. Witte

Date October 19, 2004

Residence: 1547 Petersen Avenue, San Jose, California 95129

Citizenship: US

Mailing Address: Same

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# ALL-PURPOSE ACKNOWLEDGEMENT

State of California

County of Alameda

} ss.

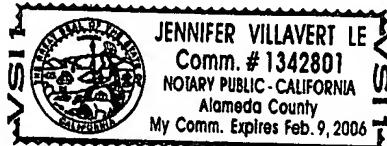
On Oct. 19, 2004 before me, Jennifer Villavert Le,  
(DATE) (NOTARY)  
personally appeared Kenneth G. Witte

SIGNER(S)

personally known to me

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WITNESS my hand and official seal.

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 OTHER: \_\_\_\_\_  
\_\_\_\_\_  
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-----

Full name of third inventor: Philip C. Hartstein

Inventor's signature 

Date Oct. 19, 2004

Residence: 171 Bryant St., Apt. G, Palo Alto, California 94301

*Michele Faubach*  
subscribing witness  
*10/19/04*

Citizenship: US

Mailing Address: Same

Send Correspondence To:  
KNOBBE, MARTENS, OLSON & BEAR, LLP  
Customer No. 20,995

# SUBSCRIBING WITNESS JURAT

State of California

County of Alameda

} SS.

On October 19, 2004, before me, the undersigned, a notary public for the state, personally

DATE

appeared Michele Loubach

SUBSCRIBING WITNESS'S NAME

me on the oath of \_\_\_\_\_, who is personally known to me (or proved to

CREDIBLE WITNESS'S NAME

be the person whose name is subscribed to the within instrument, as a witness there to, who, being by me duly sworn, deposed and said that he/she was present and

saw Peter Rule & Philip C. Hartstein in the  
NAME(S) OF PRINCIPAL(S)

same person(s) described in and whose name(s) is/are subscribed to the within and annexed instrument in his/her/their authorized capacity(ies) as (a) party(ies) thereto, execute the same, and that said affiant subscribed his/her name to the within instrument as a witness at the request of

Peter Rule

NAME(S) OF PRINCIPAL(S)

WITNESS my hand and official seal.

Jennifer Villavert Le  
NOTARY'S SIGNATURE

## OPTIONAL INFORMATION

The information below is optional. However, it may prove valuable and could prevent fraudulent attachment of this form to an unauthorized document.

### CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

- INDIVIDUAL  
 CORPORATE OFFICER

TITLE(S)

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 ATTORNEY-IN-FACT  
 TRUSTEE(S)  
 GUARDIAN/CONSERVATOR  
 SUBSCRIBING WITNESS  
 OTHER: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### ABSENT SIGNER (PRINCIPAL) IS REPRESENTING: NAME OF PERSON(S) OR ENTITY(IES)

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NUMBER OF PAGES

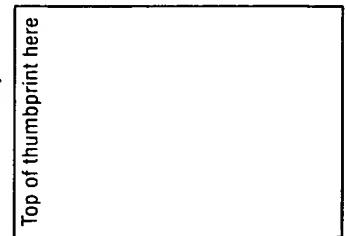
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-----

Full name of fifth inventor: **Bernhard B. Sterling**

Inventor's signature Bernhard B. Sterling

Date October 19, 2004

Residence: **882 El Pintado, Danville, California 94086**

Citizenship: **US**

Mailing Address: **Same**

Send Correspondence To:  
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**Customer No. 20,995**

# ALL-PURPOSE ACKNOWLEDGEMENT

State of California

County of Alameda

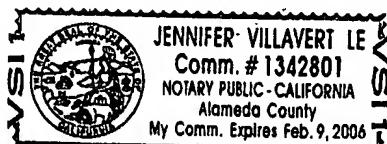
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personally appeared Bernhard B. Sterling (SIGNER(S))

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TITLE OR TYPE OF DOCUMENT

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NAME OF PERSON(S) OR ENTITY(IES)

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OF  
SIGNER

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